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eight years and just a hodge-podge of individual type sentences attached to offenses which individual senators would want to create. So rather than have all of that going throughout the statutes the Judiciary Committee reviewed the criminal code, presented to the Legislature a bill. It was worked on the floor and a result of that was to find this sentencing system established where instead of attaching a specific number of years to each offense you created categories of felonies and misdemeanors. Those were then subdivided by listing a misdemeanor with a letter after it and on and on. But those categories would have attached to each one a range of possible time for which a person could be sentenced. Within that range a judge could create or craft a sentence. At the same time that was done, the Legislature, in order to do away with the hodge-podge of sentencings that were occurring throughout this state, wrote into the law a provision that a minimum sentence could be no more than the maximum which the judge laid out. That provision of statute was stricken. What Senator Brashear is offering is a watered-down version of that methodology. Because I believe that there was a legitimate and justifiable basis for what the Legislature did when it rewrote the criminal code, I think Senator Brashear's amendment does not go far enough. One thing that is certain, it cannot and should not be used to try to create new offenses and deal with each individual case that somebody can bring up. This is a broad policy which is being partially restored. When it was put in place and applied to every offense, the Legislature well knew the types of crimes that could be committed, that were being committed, that had been committed. But there was a broader goal in mind. It related to how the state is going to punish those who are convicted of crimes. It also took into consideration the fact that judges, for whatever reason, may give a certain sentence for one offense today and tomorrow for virtually the same offense by a defendant with virtually the same characteristics will get a much higher sentence.

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: So to remedy that, the system was put in place that I briefly touched on. What Senator Brashear's amendment would do is to restore to a small degree some of that consistency that is now lacking and I'll put my light on again.